

REMARKS

Election/Restriction Requirement

Applicants confirm election of Group I, claims 1-17, directed to a calcium hypochlorite, for prosecution, with traverse as well as the election of polyepoxysuccinic acid salt for examination purposes. Applicants respectfully traverse the requirement because a search and examination of all the claims would result in no undue burden. That is, a single search directed to coated calcium hypochlorite would uncover art pertinent to examination of the claims directed to a method of preparing calcium hypochlorite coated with a polymeric alkali salt. Thus, Applicants respectfully request reconsideration and withdrawal of the requirement.

New claims 24-34 are readable upon the elected species.

Rejections Under 35 U.S.C. § 112

Claims 4 and 6-8 have been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite.

Claims 4 and 6-8 have been cancelled, thus rendering the rejection moot. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection.

Rejection under 35 U.S.C. § 102

Independent claim 1 and dependent claim 2 have been rejected under 35 U.S.C. § 102(b) as being anticipated by the disclosure of Faust et al. in U.S. Patent No. 4,087,360 (Faust et al.) and by the disclosure of Kamel et al. in U.S. Patent No. 5,230,822 (Kamel et al.)

Claims 1 and 2 have been cancelled thus rendering the rejection moot. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejection.

Rejections under 35 U.S.C. § 103

Dependent claims 3-5 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over the teaching of Faust et al.

Independent claim 1 as well as dependent claims 2-5 have been rejected 35 U.S.C. § 103(a) as being unpatentable over the disclosure of Oshlack et al. in U.S. Patent No. 5,639,476 (Oshlack et al.).

Further, dependent claims 6-9 have been rejected 5 U.S.C. § 103(a) as being unpatentable over the disclosure of Faust et al., or Oshlack et al., in view the disclosure of Perez et al. in U.S. Patent No. 5,518,629 (Perez et al.).

Claims 1-9 have been cancelled. Therefore, each of the rejections under 35 U.S.C. § 103(a) have been rendered moot. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejections.

Applicants add new claims 24-34; of which, claims 24 and 30 are independent claims. Support for these new claims can be found in the specification, including the claims, as originally filed.

These claims are patentable over the teachings of each of cited references, alone or in combination because none of the references teaches a calcium hypochlorite particle coated with a deposit control agent comprised of a metal salt of one of polyepoxysuccinic acid and polymaleic acid.

In particular, Faust et al. teach a method of inhibiting scale formation with a composition comprising calcium hypochlorite and a polyacrylic acid compound. Faust et al. do not teach, suggest or provide any motivation to coat calcium hypochlorite particles with a deposit control agent comprising a metal salt of one of polyepoxysuccinic acid and polymaleic acid.

Kamel et al. teach wax-encapsulated particles; specifically, a paraffin wax coating material over a core material, which can be calcium hypochlorite. However, like Faust et al., Kamel et al. do not teach, suggest or provide any motivation to coat calcium hypochlorite particles with a deposit control agent comprising a metal salt of one of polyepoxysuccinic acid and polymaleic acid.

Oshlack et al. teach controlled release formulations coated with aqueous dispersion of acrylic polymers. The formulations can be calcium hypochlorite with hydrophobic acrylic polymer coating to provide storage stability. Like Faust et al. and Kamel et al., Oshlack et al. do not teach, suggest or provide any motivation to coat calcium hypochlorite particles with a deposit control agent comprising a metal salt of one of polyepoxysuccinic acid and polymaleic acid.

Perez et al. do not cure the infirmities of any of Faust et al., Kamel et al., and Oshlack et al. Perez et al. teach controlling scale by adding a treatment solution comprising a substituted alkylpolycarboxylate with a substoichiometric amount of a scale/corrosion inhibitor, which can

be polyepoxysuccinic acid or maleic acid, to a circulating aqueous system. Perez et al. do not teach, suggest or provide the motivation to coat calcium hypochlorite particles with a deposit control agent comprising a metal salt of one of polyepoxysuccinic acid and polymaleic acid.

Thus, none of the cited references teaches, suggests or provides any motivation to coat calcium hypochlorite with a deposit control agent. Therefore, there is no prima facie case of obviousness.

Moreover, even if the references could have been modified or combined, which Applicant does not concede, the proposed modification or combination would not have resulted in the invention as claimed. If the teachings of Faust et al. could have been combined with the teaching of Perez et al., at best, one of ordinary skill in the art would have arrived at treating an aqueous system with calcium hypochlorite coated with polyacrylic acid along with a treatment solution of a substoichiometric amount of polyepoxysuccinic acid, or maleic acid, and a substituted alkylpolycarboxylate. Likewise, if the teachings of Oshlack et al. could have been combined with the teaching of Perez et al., at best, one of ordinary skill in the art would have arrived at treating an aqueous system with calcium hypochlorite coated with a hydrophobic acrylic polymer along with a treatment solution of a substoichiometric amount of polyepoxysuccinic acid, or maleic acid, and a substituted alkylpolycarboxylate. Thus, any prima facie case of obviousness is rebutted because the proposed combination would not have resulted in the invention as claimed.

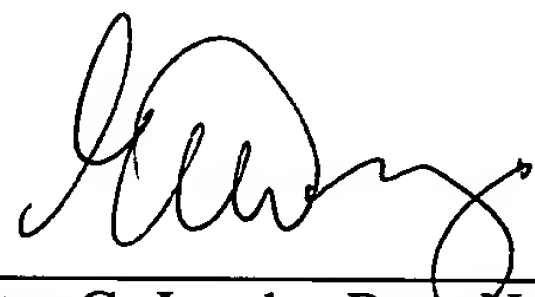
Therefore, present invention, as recited in new claims 24-34 is novel and non-obvious.

CONCLUSION

In view of the foregoing amendments and remarks, this application is in condition for allowance. A notice to this effect is respectfully requested. If the Examiner believes that the application is not in condition for allowance, the Examiner is requested to call the Applicant's attorney at the telephone number listed below.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 50/0214.

Respectfully submitted,
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